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6 Attorneys for Tarantinos, Inc. and MacMarin,  
Inc.

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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **OAKLAND DIVISION**

11  
12 TARANTINOS, INC., and MACMARIN,  
INC.,

13 Plaintiffs,  
14  
vs.

15 CONSECO LIFE INSURANCE COMPANY,  
16 JOHN S. LEIPSIC, INC.; and DOES ONE  
through TEN,

17 Defendants.  
18

CASE NO. CV 09 1974 SBA

**STIPULATION AND ORDER  
EXTENDING DEADLINE TO FINALIZE  
SETTLEMENT**

Trial Date: None set

19  
20 WHEREAS this matter, which seeks reinstatement of life insurance policies, has been  
settled in principle,

21  
22 WHEREAS the parties so informed the Court and on September 17, 2009, this Court  
23 issued an order dismissing the case with prejudice, but providing that "In the event that the  
24 settlement is not reached, any party may move to reopen the case and the trial will be rescheduled,  
25 provided that such motion is filed within 45 days of this order", (Docket No. 35, the "Order")

26  
27 WHEREAS the forty-five days provided in the Order during which a motion to reopen the  
case may be filed will expire on November 1, 2009,

WHEREAS the parties remain agreed in principle, but the parties are still evaluating issues concerning the payment of premiums that must be determined before a formal settlement agreement can be signed, and

WHEREAS, the parties believe that they will require an additional thirty (30) days to reach a final, formal settlement,

THEREFORE the parties stipulate and request the Court to issue an order extending the forty-five (45) day period to request reinstatement in compliance with the Order an additional thirty (30) days until December 1, 2009.

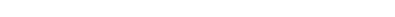
DATED: October , 2009 BRADLEY ARANT BOULT CUMMINGS LLP

10 By: /s/ Jason A. Waters  
11 Jason A. Walters  
Attorneys for Conseco Insurance Company.

DATED: October , 2009 COOPER, WHITE & COOPER LLP

14 By: /s/ Stephen Kaus  
15 Stephen Kaus  
16 Attorneys for Tarantinos, Inc. and MacMarin,  
Inc.

17 | So ordered.

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19  
20 DATED: October\_26, 2009 \_\_\_\_\_  
21  
  
SAUNDRA BROWN ARMSTRONG  
United States District Judge